

**LAMONICA HERBST & MANISCALCO, LLP**

*Moving Forward. Staying Ahead.®*

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May 18, 2020

**By ECF & E-Mail**

Honorable James L. Garrity, Jr.  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, New York 10004-1408  
[Garrity.chambers@nysb.uscourts.gov](mailto:Garrity.chambers@nysb.uscourts.gov)

**Re: Penny Ann Bradley**  
**Chapter 11**  
**Case No. 18-10122 (JLG)**

Dear Judge Garrity:

This firm is special counsel to Penny Ann Bradley (the “Debtor”). I am pleased to report that the Debtor has resolved any and all claims with Russell & Lydia Pollack and the Stipulation has been executed by all parties. The settlement provides for the Pollack’s claim as filed in their Proof of Claim, to be reduced in amount and, as so reduced, to be allowed in a reduced amount. A letter agreement providing for such treatment will be filed shortly. In addition, the settlement provides for the Pollack’s reduced claim to be satisfied in full from funds to be paid by a third party.

As a result, Pollack will be filing a letter with the Court withdrawing its Joinder of (a) the Atlas/NSM Motion to appoint a Trustee, (b) the US Trustee motion to appoint a Trustee, and (c) the Berman motion to appoint a Trustee. That letter will be filed shortly.

We will file a short supplemental affirmation in support of the Debtor’s Berman 9019 Motion and the Debtor’s Dismissal Motion shortly.

Thank you for your consideration.

Respectfully submitted,  
*s/ Joseph S. Maniscalco*  
Joseph S. Maniscalco

cc: Nolan E. Shanahan, Esq; Jacob S. Frumkin, Esq.;  
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Kenneth Baum, Esq.; David Hartheimer, Esq.;  
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